

WATER CONSERVATION REGULATIONS FOR
THE STATION @ NORGE

THIS AGREEMENT (the "Agreement") is entered into this the 3rd day of January, 2005, by and between **Stonehouse Station, L.P.**; 808 Newtown Road, Virginia Beach, Virginia, which shall be referred to hereinafter as "**Station**," or "Developer" and the James City Service Authority (JCSA), hereinafter referred to as "JCSA". Either party may hereinafter be individually referred to as a "Party" or may be collectively referred to as the "Parties". Municipal Corporation, Grantee, hereinafter referred to as the "**CITY**." Either party may hereinafter be individually referred to as a "Party" or may be collectively referred to as the "Parties"

Whereas the following water conversation regulations are adopted by **Stonehouse Station, L.P.**, a Limited Partnership, for the benefit of The Station @ Norge development in James City County, Virginia, upon the approval by the James City Service Authority under the requirements of Article 13 for the City of Williamsburg and County of James City and as per such proffers which have been submitted by **Station** dated April 1st, 2004. Use of the property for The Station @ Norge development is for residential purposes, record of which occurs on or after the date of this agreement, shall be at all times subject to the following rules, as they may be amended from time to time.

NOW, THEREFORE, for and in consideration of the covenants and promises contained herein, and other good and valuable consideration exchanged between the Parties, the receipt and sufficiency of which are hereby acknowledged, the Parties AGREE, CONVENANT AND CONTRACT as follows:

1. Irrigation Systems:

- a. JCSA's "no irrigation policy" shall be strictly adhered to. The development will be prohibited from any and all irrigation use from the JCSA water distribution system.
- b. Water for common area irrigation can come from surface water and/or stormwater retention facilities on the property.
- c. If it is not feasible for irrigation water for the common areas to come from stormwater facilities,

then an irrigation well may be allowed. Only wells withdrawing water from either the **Aquia Aquifer** or the **Potomac Aquifer** shall be allowed.

2. **Landscaping:**

- a. All primary plantings, shall be native, drought tolerant and/or site appropriate. Primary plantings may be selected from the JCSA approved plant list. See Exhibit A.

3. **Water Fixtures and Appliances:**

- a. Developer shall offer water efficient rated appliances as an option.

4. **Water Efficient Landscaping for Residential Property:**

- a. Wherever possible, existing trees and vegetation should be retained.
- b. Trees located in turf areas should be mulched.

5. **Changes and Amendment:**

- a. The Station reserves the right to amend water conservation rules from time to time with or without notice, provided however, JCSA must approve the change.

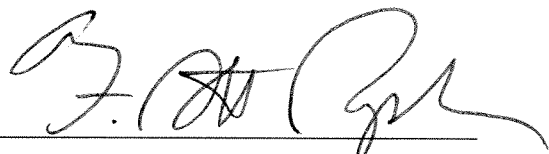
6. **Enforcement:**

- a. Water conservation rules of the Station shall be fully enforced.
- b. From time to time JCSA and James City County may adopt generally applicable water conservation rules. The station shall incorporate those rules and regulation and the rules shall be fully enforced by the owner's as well as the JCSA and the County.

Witness the following signature and seal:

STONEHOUSE STATION, L.P.


A.

By: 
F. Scott Ripley, Manager

1/3/05
Date

APPROVED BY:

James City Service Authority

By: 
Larry Foster, JCSA General Manager

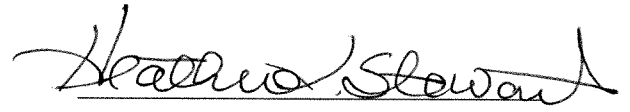
6/1/05
Date

COMMONWEALTH OF VIRGINIA,

CITY/COUNTY OF Virginia Beach, TO-WIT:

The foregoing instrument was acknowledged before me this 3rd day of January, 2005, by F. Scott Ripley on behalf of Stonehouse Station, L.P.

My Commission Expires: NOV 30, 2005



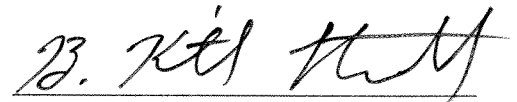
NOTARY PUBLIC

COMMONWEALTH OF VIRGINIA,

CITY/COUNTY OF James City, TO-WIT:

The foregoing instrument was acknowledged before me this 1st day of June, 2005, by Larry Foster, JCSA General Manager on behalf of James City Service Authority.

My Commission Expires: July 31, 2008



NOTARY PUBLIC